

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA

TERESA EVANS,	)	
	)	
Plaintiff,	)	
	)	Case No. 1:06-CV-252
v.	)	
	)	Chief Judge Curtis L. Collier
CITY OF ETOWAH, Tennessee,	)	
EMPIRE SURETY GROUP, INC., d/b/a	)	
“A 24-HR BONDING CO.,”	)	
CHUCK NELMS, City of Etowah Police	)	
Officer, in his individual and official capacity,	)	
BILL CRAWFORD, City of Etowah Police	)	
Officer, in his individual and official capacity,	)	
JOHN YESTE, in his individual capacity and	)	
as agent for Empire Surety Group, Inc., and	)	
JASON SCHWIND, in his individual capacity	)	
and as agent for Empire Surety Group, Inc.,	)	
	)	
Defendants.	)	
	)	

**ORDER**

Before the Court are the (1) motion to dismiss filed by defendants Empire Surety Group, Inc., d/b/a “A 24 Hr Bonding Co.,” John Yeste and Jason Schwind (Court File No. 10), and (2) “motion for discovery and stay of judgment pending discovery” filed by plaintiff Teresa Evans (Court File No. 14). For the reasons set forth in the foregoing memorandum, the Court **DENIES** the plaintiff’s motion for discovery (Court File No. 14) and **DENIES** in part the motion to dismiss (Court File No. 10). The Court **GRANTS** the motion to dismiss to the extent it will dismiss Counts Two and Three of the complaint. The Court **ORDERS** Plaintiff to more clearly allege her state law claims (Counts Four through Twelve) against defendants Empire Surety Group, Inc., John Yeste and Jason Schwind.

**SO ORDERED.**

**ENTER:**

/s/  
**CURTIS L. COLLIER**  
**CHIEF UNITED STATES DISTRICT JUDGE**